

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GODFREY CADOGAN,

Plaintiff,

v.

Case No. 06-12010
Hon. Lawrence P. Zatkoff

ERVIN BELL et al.,

Defendants.

/

**ORDER DENYING PLAINTIFF'S REQUEST FOR RENEWED MOTION FOR
SUMMARY JUDGMENT**

Plaintiff filed identical motions for summary judgment on October 29, 2007, [dkt 7] and October 31, 2007 [dkt 8]. These motions were filed before Defendants were served with the complaint. After Defendants were served, Plaintiff filed another motion for partial summary judgment on July 10, 2008 [dkt 23], in which he requested that the Court incorporate the arguments from his previous motions. In a September 26, 2008, order [dkt 37], the Court struck the premature motions from the record, but ordered that the arguments from the October 2007 motions be considered in the disposition of the July 2008 motion, as per Plaintiff's request.

Plaintiff has now filed a renewed motion for summary judgment [dkt 41], which is the same document as those previously stricken. The Court construes Plaintiff's renewed motion as a motion to reconsider its September 26 order. A motion for reconsideration must be filed within 10 days of the entry of an order. *See* E.D. Mich. L.R. 7.1(g)(1). Plaintiff's motion was filed on November 11, 2008—greatly exceeding the 10-day limitation. Thus, Plaintiff's motion is untimely.

For the reasons stated above, Plaintiff's renewed motion for summary judgment [dkt 41] is

DENIED and Plaintiff's currently pending motion for partial summary judgment [dkt 23] will be adjudicated in accordance with the Court's September 26 order.

IT IS SO ORDERED.

s/Paul Borman

Paul Borman
U.S. District Judge
In the absence of
Lawrence P. Zatkoff
U.S. District Judge

Dated: January 15, 2009